

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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WILLIAM LACEY,

Plaintiff,

-v-

9:15-CV-0539  
(DNH/CFH)

M. BYNO, Nurse, Upstate Correctional  
Facility; KOWALCHUK, Physician Assistant,  
Upstate Correctional Facility; DONALD G. UHLER,  
Superintendent, Upstate Correctional  
Facility; E. BELL, Acting Superintendent,  
Upstate Correctional Facility; J. BULLOCK,  
Correctional Officer, Upstate Correctional Facility;

Defendants.  
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APPEARANCES:

OF COUNSEL:

WILLIAM LACEY  
Plaintiff, *Pro Se*  
14-A-1585  
Mohawk Correctional Facility  
P.O. Box 8451  
Rome, New York 13440

HON. ERIC T. SCHNEIDERMAN  
Attorney General for the State of New York  
Attorneys for Defendants  
The Capitol  
Albany, New York 12224

ORIANA L. CARRAVETTA, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

*Pro se* plaintiff William Lacey brought this civil rights action pursuant to 42 U.S.C.

§ 1983. See Complaint, ECF No. 1. On January 3, 2017, the Honorable Christian F. Hummel, United States Magistrate Judge, advised by Report-Recommendation that the defendants' motion for summary judgment pursuant to Federal Rule of Civil Procedure 56 (ECF No. 30) be granted. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is ORDERED that:

(1) Defendants' motion for summary judgment pursuant to Federal Rule of Civil Procedure 56 (ECF No. 30) is **GRANTED**;


(2) The Complaint is **DISMISSED IN ITS ENTIRETY**;

(3) The Clerk serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

The Clerk of the Court shall enter judgment and close the case

IT IS SO ORDERED.

Dated: March 22, 2017  
Utica, New York

  
United States District Judge